



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, MARCH 4, 2009

No. 38

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, we continue to depend on You to guide our lawmakers on right paths. Only You know what the future holds and the resources we will need to meet our many challenges. Strengthen our Senators so that in the face of great challenges, they will be steadfast, abounding in works that honor You. Give them such confidence in Your providence that no problem will seem insoluble. In all their labors, may their primary motive be to bring glory to Your Name. May their thoughts, words, and deeds be acceptable to You, for You are their rock and redeemer. Make them totally committed to You and unreservedly dedicated to Your love.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 4, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, following the remarks of the leaders, I ask unanimous consent that the Senator from Iowa, Mr. GRASSLEY, be recognized for whatever time he may consume and, following that, we will move to H.R. 1105.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, it is my understanding there are seven amendments pending. We will dispose of those as quickly as we can. Votes on those will not be able to start until after 2 o'clock today because of Gordon Brown and other things going on here, but we will move through those as rapidly as we can, making sure people have an opportunity to speak for or in opposition. I have spoken to the Republican staff, and they have other amendments they wish to offer. We are moving along fairly well on this bill. We will recess at 10:40 this morning until noon for the joint meeting of Congress with British Prime Minister Gordon Brown.

We have a number of speakers lined up at 12 noon and thereafter to speak on the pending amendments. At 10 this morning, Senator MIKULSKI is expected

to be here to speak on one of the pending amendments.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OMNIBUS APPROPRIATIONS

Mr. McCONNELL. Mr. President, yesterday we had votes on a handful of amendments which were aimed at reducing the overall size of the Omnibus appropriations bill. Many of us who are concerned about the spending binge we have been on thought it would be responsible to bring it back in line with the appropriations bills we passed last year. That was obviously before the economic crisis.

As the junior Senator from Indiana put it this morning in an insightful op-ed piece in the Wall Street Journal, this bill was drafted last year.

Since then, economic and fiscal circumstances have changed dramatically, which is why—

As he put it—

the Senate should go back to the drawing board. The economic downturn requires new policies, not more of the same.

That is Senator EVAN BAYH of Indiana.

I ask unanimous consent to have the article, in which Senator BAYH calls on his colleagues to vote against the omnibus or for the President to veto it, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 3, 2009]

DEFICITS AND FISCAL CREDIBILITY
A DEMOCRATIC SENATOR SAYS NO TO A HUGE
FEDERAL SPENDING BILL

(By Evan Bayh)

This week, the United States Senate will vote on a spending package to fund the federal government for the remainder of this

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2723

fiscal year. The Omnibus Appropriations Act of 2009 is a sprawling, \$410 billion compilation of nine spending measures that lacks the slightest hint of austerity from the federal government or the recipients of its largess.

The Senate should reject this bill. If we do not, President Barack Obama should veto it. The omnibus increases discretionary spending by 8% over last fiscal year's levels, dwarfing the rate of inflation across a broad swath of issues including agriculture, financial services, foreign relations, energy and water programs, and legislative branch operations. Such increases might be appropriate for a nation flush with cash or unconcerned with fiscal prudence, but America is neither.

Drafted last year, the bill did not pass due to Congress's long-standing budgetary dysfunction and the frustrating delays it yields in our appropriations work. Since then, economic and fiscal circumstances have changed dramatically, which is why the Senate should go back to the drawing board. The economic downturn requires new policies, not more of the same.

Our nation's current fiscal imbalance is unprecedented, unsustainable and, if unaddressed, a major threat to our currency and our economic vitality. The national debt now exceeds \$10 trillion. This is almost double what it was just eight years ago, and the debt is growing at a rate of about \$1 million a minute.

Washington borrows from foreign creditors to fund its profligacy. The amount of U.S. debt held by countries such as China and Japan is at a historic high, with foreign investors holding half of America's publicly held debt. This dependence raises the specter that other nations will be able to influence our policies in ways antithetical to American interests. The more of our debt that foreign governments control, the more leverage they have on issues like trade, currency and national security. Massive debts owed to foreign creditors weaken our global influence, and threaten high inflation and steep tax increases for our children and grandchildren.

The solution going forward is to stop wasteful spending before it starts. Families and businesses are tightening their belts to make ends meet—and Washington should too.

The omnibus debate is not merely a battle over last year's unfinished business, but the first indication of how we will shape our fiscal future. Spending should be held in check before taxes are raised, even on the wealthy. Most people are willing to do their duty by paying taxes, but they want to know that their money is going toward important priorities and won't be wasted.

Last week I was pleased to attend the president's White House Fiscal Responsibility Summit. It's about time we had a leader committed to addressing the deficit, and Mr. Obama deserves great credit for doing so. But what ultimately matters are not meetings or words, but actions. Those who vote for the omnibus this week—after standing with the president and pledging to slice our deficit in half last week—jeopardize their credibility.

As Indiana's governor, I balanced eight budgets, never raised taxes, and left the largest surplus in state history. It wasn't always easy. Cuts had to be made and some initiatives deferred. Occasionally I had to say "no."

But the bloated omnibus requires sacrifice from no one, least of all the government. It only exacerbates the problem and hastens the day of reckoning. Voters rightly demanded change in November's election, but this approach to spending represents business as usual in Washington, not the voters' mandate.

Now is the time to win back the confidence and trust of the American people. Congress should vote "no" on this omnibus and show working families across the country that we are as committed to living within our means as they are.

Mr. MCCONNELL. Today, Republicans are going to continue bringing up our amendments, amendments that we think are better and more responsible ways to use the taxpayers' money today.

Unfortunately, it has become increasingly clear that most of our Democrat colleagues here in Congress—Senator BAYH notwithstanding—are perfectly comfortable with the breath-taking rate of spending we have been on since the beginning of the year. They want it to continue, without restraint and without any end in sight.

Amazingly, in the midst of an economic crisis, congressional Democrats want to increase the annual spending included in this omnibus by 8 percent, which, compared to last year, is twice the rate of inflation.

At a time when Americans are learning to cut back, Democrats in Congress are suggesting we double up. As Senator BAYH put it in the same op-ed:

The bloated omnibus requires sacrifice from no one, least of all the government. It only exacerbates the problem and hastens the day of reckoning. Voters rightly demanded change in November's election, but this approach to spending represents business as usual in Washington, not the voters' mandate.

Nobody wants an open-ended recession. But so far the only solution to the economic crisis that Democrats in Congress are offering is open-ended spending without any end in sight. And let's be clear about something: we cannot end a recession by digging the country into deeper and deeper debt any more than one can pay off a credit card by using it more often. And we can't tax our way out of a recession.

February was an expensive month for American taxpayers. In the month of February, Congress spent more money than we did in 7 years on the war in Iraq, the war in Afghanistan and Hurricane Katrina relief combined.

All of this spending is reason to carefully consider and pare back this massive spending bill, particularly in these areas which contain funding for 122 programs already funded in the stimulus bill.

Remarkably, even Senator HUTCHISON's amendment, which sought to find \$12 billion, or just 1 percent, in duplicative spending from two bills totaling \$1.2 trillion, was struck down.

I hope our friends across the aisle will join Republican efforts to ensure every taxpayer dollar is spent with care, and support amendments to protect taxpayer dollars.

This current spending bill is only one step in the spending process. It doesn't include the President's budget, the housing proposal, or untold trillions to stabilize financial markets and other programs.

Our children and grandchildren can't afford this level of spending. They will

be the ones left to pay off the Federal Government credit card that Democrats in Congress are busy maxing out.

HONORING OUR ARMED FORCES

SERGEANT DANIEL W. WALLACE

Mr. MCCONNELL. Mr. President, I rise because our country has lost a true patriot. SGT Daniel W. Wallace of Dry Ridge, KY, was tragically killed by enemy fire while serving his country in Afghanistan on October 31, 2008. He was 27 years old.

A member of the Kentucky Army National Guard since 2006, Sergeant Wallace was on his first deployment. For his valor in uniform, he received several medals, awards and decorations, including the Bronze Star Medal and the Purple Heart.

"Sergeant Daniel Wallace was a true patriot," says Kentucky National Guard Adjutant GEN Edward W. Tonini. He "stood up and answered the call to serve his Nation in a time of need."

Sergeant's Wallace's mother, Karen Wallace, says the same thing, but in a way only a mother could.

"Danny's my fallen hero," she says.

Daniel's family lived in the town of Latonia in the northern Kentucky suburbs of Cincinnati, when he was young. When he was about 9 years old, they moved to Dry Ridge in Grant County. They moved because Karen and Daniel's father, Kenneth, wanted to trade in life in the city for the country. But Daniel didn't take it so well.

"He didn't like the move . . . because of his friends being in Latonia," Karen remembers. "He was always bored in the country, complaining about how there was nothing to do."

It would come as no surprise, however, if I told you that Daniel, like any young boy, found plenty of things to do. He liked to fish, camp and watch and play sports like baseball, basketball and football. And with three brothers and a sister, there were plenty of people to do things with.

"He loved camping," says Karen. "We'd get so tickled because he and [his brother] Alex would bet on who could make the first fire, [or] the biggest fire."

Karen did set some limits for her son, however.

"He always wanted to go hunting but we never did that," she says. And "he got mad at me for not letting him play football because he was so skinny."

Daniel started attending Crittenden-Mt. Zion Elementary School, and when he was in third grade, Karen started working there. "I was able to watch him as he was adjusting to a new school," she recalls. "The teachers liked him. . . . He was very computer knowledgeable [and] . . . the teachers would have him fix computers."

Daniel's father, Kenneth, recalls how his son was quick to look out for others.

"He always felt he had to protect the other kids," Kenneth says. "He wanted